

DEPARTMENT OF BENEFIT PAYMENTS
744 P Street, Sacramento, CA 95814

February 20, 1976

ALL-COUNTY LETTER NO. 76-36

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: FOOD STAMP PROGRAM - VERIFICATION SIMPLIFICATION REGULATIONS

REFERENCE:

Attached is an advance copy of the new verification simplification regulations which were filed on an emergency basis with the Secretary of State on February 3, 1976, and are effective immediately. The purpose of the new regulations is to clarify and simplify existing eligibility verification procedures for food stamps to reduce application processing time.

These new regulations were developed to eliminate complex eligibility verifications that are unnecessary when the county determines that information submitted by an applicant adequately substantiates his eligibility for food stamp benefits. The regulations should assist counties in processing food stamp applications within the required 30 days.

As soon as the regulations are in print, they will be forwarded to you. If you have any questions on this matter, please contact Kathy Lewis of the Food Stamp Policy Coordination Bureau at (916) 445-6907.

Sincerely,

Kyle S. McKinsey
KYLE S. MCKINSEY
Deputy Director

Attachment

cc: USDA, FNS
CWDA**OBSOLETE**Superseded by ACL # 77-15Issued 3-17-77

FACE SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

RECEIVED FOR FILING
JAN 27 1976
Office of Administrative Hearings

ENDORSED
APPROVED FOR FILING
(Gov. Code 11380.2)
FEB - 3 1976
Office of Administrative Hearings

DO NOT WRITE IN THIS SPACE

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

Department of Benefit Payments
(Agency)
Dated: January 27, 1976
By: *Marion J. Worde*
Director
(Title)

**ENDORSED
FILED**
In the office of the Secretary of State
of the State of California
FEB 3 - 1976
At 9:30 o'clock *PM*
MARION FONG EU, Secretary of State

DO NOT WRITE IN THIS SPACE

After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part 1, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Benefit Payments hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

FINDING OF EMERGENCY

The Implementation of the following regulations is an emergency measure necessary for the immediate preservation of the public health, safety, and general welfare within the meaning of the provisions of Section 11421(b) of the Government Code.

- AMEND SECTIONS:
- 63-2123.1
 - 63-2208
 - 63-2255
 - 63-2264.3
 - 63-2264.6
 - 63-2264.73
 - 63-2264.84
 - 63-2265
 - 63-2331
 - 63-2332.1
 - 63-2332.4

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FILING ADMINISTRATIVE REGULATION
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

The following facts constitute the emergency:

1. Welfare and Institutions Code Section 18911 requires that food stamp applications be approved or denied and benefits sent to qualified applicants within 30 days of application.
2. Current food stamp regulations require complex eligibility verifications that are unnecessary where the county determines that information submitted by an applicant adequately substantiates his eligibility for food stamp benefits.
3. The attached regulation changes simplify eligibility verification procedures, thus enabling counties to more readily meet the 30-day processing requirement of W&IC 18911.
4. Since food stamp applicants may often be required to wait longer than 30 days for action on their application while the county complies with the complex verification procedures currently required by Food Stamp Regulations, the proposed regulations, simplifying these procedures, must be adopted on an emergency basis in order to assure that qualified food stamp applicants be granted benefits within 30 days of making application.

The regulation changes set forth above are adopted as emergency measures to become effective upon filing with the Secretary of State.

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2123 NA VERIFICATION AND DOCUMENTATION

63-2123

.1 Verification

Verification means that information has been secured which establishes the accuracy or inaccuracy of information provided by the applicant or recipient.

.11 Gross nonexempt income and mandatory deductions are the minimum verification required at the initial certification. Also, these items need to be verified at timely recertifications only when the amount of gross nonexempt income has changed by more than \$25 per month or the source has changed. (See Section 63-2265.2)

.12 Resources, alien status, deductions other than mandatory deductions, residence, shelter costs and cooking facilities shall be verified only if, in the judgment of the eligibility worker, the information submitted by the applicant or recipient is questionable.

.121 The standard of judgment to be used by the eligibility worker is that of the "prudent person" as set forth in Section 63-2011.

.122 Questionable information may include, but is not limited to: unclear, incomplete or inconsistent information provided by the applicant or recipient, information which the applicant or recipient qualifies by a statement to the effect that he does not remember or that he is unsure of its accuracy, reported expenses which are considered to be unrealistic in relation to household income or size, and information provided by the applicant or recipient which is contradicted by unsolicited third party information.

DO NOT WRITE IN THIS SPACE

**F FILING ADMINISTRATIVE REGULATION
WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11380.1)

63-2123 NA VERIFICATION AND DOCUMENTATION (Continued)

63-2123

DO NOT WRITE IN THIS SPACE

.13 Unless questionable, line item income deductions listed in Part C, lines 1-6 of Form DFA 285.2, which total \$25 or less, will not be verified by the county in making an eligibility determination. In addition, individual utility expenses included in Part C, line item 9b, of \$25 or less will not be verified unless they are considered questionable.

.14 In almost all instances the following information regarding applicants and recipients will not require verification: social security numbers, dates of birth, cooking facilities, cash on hand; and exempt resources.

.15 When the eligibility worker determines that verification of an item is required, the household must cooperate in providing the information needed to complete the verification, including any authorization needed by the county to secure such information from a third party when the applicant or recipient cannot supply acceptable verification himself.

.16 The EW shall not routinely photocopy any documents required of the applicant or recipient as verification. Noting the type of verification and the date(s), (and the amount/ if any, or the item _____) in the case file is sufficient. Pay stubs are the only item which may be an exception to this.

.17 Sources of verification include documentary evidence, collateral contacts, and home visits. Applicants are primarily responsible for furnishing documents sufficient for verification, or at least information from which the verification may be made by the EW. A refusal to cooperate in furnishing income information or information necessary for verification must necessarily result in a denial of benefits since no basis is provided from which eligibility for program participation or basis of coupon issuance may be determined.

.18 While the applicant household does have primary responsibility for providing verification, the EW is expected to aid the applicant. Collateral contacts by means of telephone calls, letters, or personal visits may suffice in some instances. In other cases, the applicant should be informed that certain documents will be necessary and provided a reasonable opportunity to comply with such requests. In cases of extreme emergency, especially when employer refuses to provide documentation or information concerning income, the household should not be denied solely on that basis, but the EW shall, in consultation with the applicant or other sources, arrive at a figure to be used for certification purposes.

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2208 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS

63-2208

Verification of citizenship or alien status shall not be required nor can it be requested except in questionable cases as defined below. Documentation of status can be more difficult for some citizens than for the legally entered alien. The problem of participation by ineligible aliens will also not be of the same magnitude in all counties and localities. To require verification for all cases would, therefore, be an unreasonable imposition on the majority of eligible households and administratively infeasible for the county welfare department.

.1 When an applicant indicates on the application that the members of the household are U.S. citizens or permanent aliens, the EW shall not require or request further verification unless one or more of the circumstances under the following definition of "questionable cases" is present:

.11 The existing welfare department records indicate that one ^{or more} of the individuals in the household is an illegal alien (who may or may not be under order of deportation). This information could be contained in records for Food Stamps, AFDC, Medi-Cal, General Relief, Social Services, etc.

.12 Notification by another governmental agency that an individual in the household is an illegal alien (who may or may not be under order of deportation). This information could be received from the Immigration and Naturalization Service, Border Patrol, FBI, District Attorney, etc.

.13 It is clear that the information provided by the household on its application is internally inconsistent with oral information provided by its members.

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2208 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS (Continued)

63-2208

.14 Notification by EDD that a member of the household is an illegal alien or legal alien only in the country temporarily (see 63-2207) whom they cannot legally refer for employment.

.15 An employed household member who fails to report a social security number on his application, whose pay verifications do not show his social security number and who refuses to allow an employer to be contacted for this information.

It should be understood that the mere fact that an applicant speaks no English or is of nonwhite descent shall not be considered sufficient evidence to label an applicant as "questionable" and require documentation.

.2 In questionable cases where verification is required, the following example of acceptable documentary evidence are provided to assist the EW in determining how to classify certain aliens.

.21 U. S. Citizens

Citizenship may be verified by a birth certificate, religious or similar proof of birth, United States passport, a certificate of citizenship or naturalization provided by INS or an Identification Card for Use of Resident Citizen in the United States (INS Form I-179 or INS Form I-197).

.22 Immigrants

Acceptable proof of immigration status is INS Form I-151, Alien Registration Receipt Card. (See following Exhibits for example of form.) Earlier versions of this form, INS Forms AR-3 and AR-3a, are proof of permanent residency if specifically endorsed as such. Also, a Reentry Permit is acceptable proof inasmuch as permanent residency is a requirement for its issuance.

.23 Permanent Residence Under Color of Law-Continuous Residency

An individual shall be presumed to be permanently residing under color of law upon satisfactory proof of his presence in the United States before June 30, 1948, and his continuous residence since such entry. The presumption shall be made unless negated by available information which indicates no intent to permanently remain in this country, such as the individual's being an official of a foreign government, an international organization representative, or a member of the family or the staff of such an official.

.24 Permanent Residence Under Color of Law

Aliens in this category must have their status verified, as it is a highly questionable circumstance. Documentation may consist of correspondence from INS stating the alien has been granted indefinite voluntary departure or indefinite stay of deportation. In the absence of such documentation, the local district office having jurisdiction over the alien's residence may be contacted to ascertain his status. The alien's INS file number should be included in all such correspondence if known.

DO NOT WRITE IN THIS SPACE

OR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

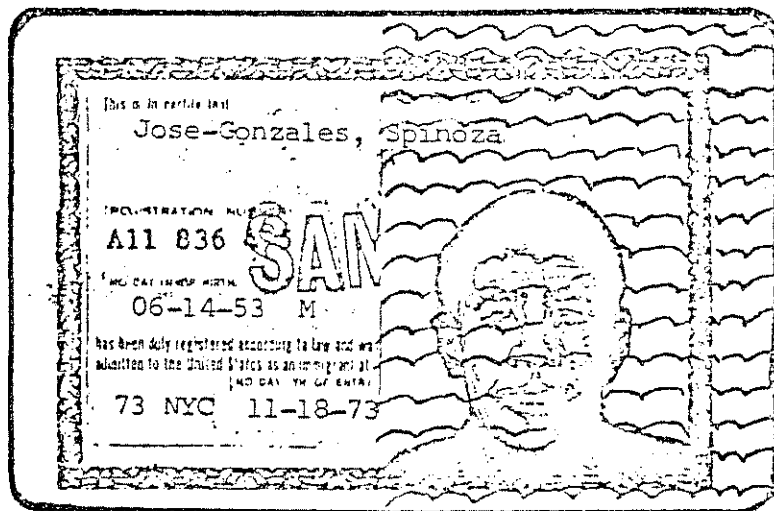
(Pursuant to Government Code Section 11380.1)

63-2208 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS (Continued)

63-2208

EXHIBIT 63-2208-A

FORM I-151 (ALIEN REGISTRATION
RECEIPT CARD)



Front - Actual Size



Reverse

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FILING ADMINISTRATIVE REGULATION
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2208 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS (Continued)

63-2208

EXHIBIT 63-2208-B

FORM I-94 (ARRIVAL-DEPARTURE RECORD)
(PAROLE EDITION)

Family Name (<i>Capital Letters</i>) DUMAS		First Name Keith	Middle Initial A.	D-520
Country of Citizenship Jamaica, West Indies		Passport or Alien Registration Number #15772		
United States Address (Number, Street, City and State) 727 West 11th Street, Indianapolis, Indiana				
Airline and Flight No. or Vessel of Arrival BWIA #402		Passenger Boarded at Kingston, Jamaica		
Number, Street, City, Province (State) and Country of Permanent Residence 16 Randwick Drive, Kingston, Jamaica (All 150 607)				
Month, Day and Year of Birth September 13, 1932		PAROLED PURSUANT TO SEC. 212(d) OF THE I. & N. ACT TO: November 20, 1971		
City, Province (State) and Country of Birth St. Ann, Jamaica		PURPOSE: 1st preference beneficiary.		
Visa Issued at (I-512)		(Port) HMM	(Date) 12/22/70	(Officer) JGH
Month, Day and Year Visa Issued				

SURRENDER THIS COPY WHEN LEAVING
 THE UNITED STATES. SEE REVERSE
 FORM I-94

Front—Actual Size

IMPORTANT NOTICE

Your parole into the United States does not constitute an admission under the terms of the Immigration and Nationality Act. You must observe the conditions of the parole and failure to comply with any of those conditions may result in the revocation of your parole. If, for any reason, you do not proceed to the address shown on the face of this form, or if after arrival, you change your address, you must immediately report to the nearest office of the Immigration and Naturalization Service. You must also report to the nearest office of the Immigration and Naturalization Service if your status is not otherwise changed or if you do not leave the United States before the termination date shown.

UPON DEPARTURE FROM THE UNITED STATES

- ☐ By sea or air surrender this permit to transportation line.
- ☐ Over Canadian border, surrender this permit to Canadian Immigration Officer.
- ☐ Over Mexican border, surrender this permit to United States Immigration Officer.

DEPARTURE RECORD

Port:

Date:

Carrier:

To:

(Country of disembarkation)
UNITED STATES DEPARTMENT OF JUSTICE
 Immigration and Naturalization Service
 Form Approved Budget Bureau No. 43-0117
ARRIVAL — DEPARTURE RECORD
FORM I-94 (Rev. 4-1-67) (Parole Edition)

SAMPLE

Reverse

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
A FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2208 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS (Continued)

63-2208

EXHIBIT 63-2208-C

FORM I-94 (ARRIVAL-DEPARTURE RECORD)

Family Name (Capital Letters) SANTOS		First Name Maria	Middle Initial S-550
Country of Citizenship El Salvador		Passport or Alien Registration Number G 980356	
United States Address (Number, Street, City and State) 4900 Del Plaza Street, Fairfax, Virginia 22045			
Airline and Flight No. or Vessel of Arrival PANAM 507		Passenger Boarded at San Salvador	
Number, Street, City, Province (State) and Country of Permanent Residence 35 Marion Street, San Salvador, El Salvador			
Month, Day and Year of Birth May 13, 1948		U. S. IMMIGRATION 230 WAS 10 MAR 17 1972 ADMITTED <u>B-2</u> UNTIL <u>Sept. 16, 1972</u>	
City, Province (State) and Country of Birth San Salvador, El Salvador			
Visa issued at (If no visa, insert sticker number) San Salvador, El Salvador			
Month, Day and Year Visa Issued March 11, 1972		FORM I-94	

Front—Actual Size

IMPORTANT NOTICE • A NONIMMIGRANT ALIEN WHO ACCEPTS UNAUTHORIZED EMPLOYMENT IS SUBJECT TO DEPORTATION. • Retain this permit in your possession except when required to submit same to the Immigration and Naturalization Service. • You are permitted to remain in the U. S. for the time indicated. • To remain past this period, without permission from immigration authorities, is a violation of law. • WHEN YOU LEAVE THE UNITED STATES: • By sea or air, surrender this permit to transportation line. • Over Canadian border, surrender this permit to Canadian Immigration Officer. • Over Mexican border, surrender this permit to United States Immigration Officer. • RECORD OF EXTENSIONS	To: Office	Office	Office
	DEPARTURE RECORD		
	Port:	Date:	Carrier:
	To:	(Country of destination)	
UNITED STATES DEPARTMENT OF JUSTICE Immigration and Naturalization Service ARRIVAL-DEPARTURE RECORD FORM I-94 (REV. 8-1-71) FORM APPROVED ONE NO. 43-RO486			

Reverse

**FL FILING ADMINISTRATIVE REGULATION
WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11380.1)

63-2203 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS (Continued)

63-2203

.25 Refugees - Section 203(a)(7)

Verification of this alien status may be possession of INS Form I-94, Arrival-Departure Record, bearing the stamped legend "REFUGEE - CONDITIONAL ENTRY" and citing the section of the Immigration and Nationality Act under which admitted.

.26 Parolees - Section 212(d)(5)

Individuals in this category should have INS Form I-94 (Parolee Edition), Arrival-Departure Record, (see Exhibit 63-2203-B for example of form) which will state that the alien has been paroled pursuant to Section 212(d)(5) of the Immigration and Nationality Act. Only individuals whose forms have been endorsed by the immigration officer to show that parole is for an indefinite period of time shall be eligible. A Form I-94 endorsed to show that parole is for a specific period of time does not constitute evidence of permanent residency.

.27 Ineligible Aliens - Temporary Status

Aliens admitted for specific periods of time should possess one of the following documents: I-94, Arrival-Departure Record (see Exhibit 63-2203-C for example of form) for other than parolees and refugees; I-185, Canadian Border Crossing Card; I-186, Mexican Border Crossing Card and SW-434, Mexican Border Visitors Permit; I-95A, Crewman's Landing Permit; or I-184, Crewman Landing Permit and Identification Card.

.28 Absence of Documentation

If the above documentation is not available, the applicant may state the reason for such absence and submit other evidence of probative value acceptable to the county welfare department. In the absence of acceptable verification, the member or members in question cannot be certified for program benefits.

- .3 The INS district office covering the jurisdiction in which the alien resides may be contacted for confirmation of alien status by use of Form WR6. Such referrals shall not be a matter of general policy for all aliens, but restricted to those cases where an EW has reason to doubt or disbelieve the status reported by the applicant or in the absence of acceptable documentation when a "questionable case" has warranted a request for verification.

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2255 VERIFICATION OF NONEXEMPT RESOURCES

63-2255

Verification of nonexempt resources is not required unless the EV feels that information provided by the applicant or recipient is questionable (see Section 63-2123.12).

Public assistance rules and procedures may be used to verify or determine the value of real or personal property where such rules or procedures are designed to compute the fair market value. The county welfare department may not use public assistance rules designed to restrict disposal of excess resources to determine eligibility for food stamp benefits.

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
**FILING ADMINISTRATIVE REGULATIONS
 WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11380.1)

63-2264 INCOME DEDUCTIONS (Continued)

63-2264

.3 Medical Expenses

- .31 The total costs for medical expenses, exclusive of special diets, when the cost exceeds \$10 per month per household shall be allowed. When the cost does exceed \$10 per month, the total cost for medical expenses shall be deducted. If the cost is only \$10 or less, no deduction will be allowed.

Medical costs include the payment for medical or dental services; hospitalization or nursing care, including costs specified in .311 below; prescribed drugs, including insulin or other over-the-counter medication when prescribed by a medical practitioner; health and hospitalization policy payments (excluding costs of health and accident or income maintenance policies); medicare payments; costs of prosthetics, including the costs of securing and maintaining a seeing eye dog as specified in .312 below; reasonable cost of transportation necessary to secure medical treatment or services; and the cost as determined in .313 below of an attendant, housekeeper, or child care services necessary due to age, infirmity, or illness.

- .311 Payments by the household for hospitalization or nursing care of an individual who was a household member immediately prior to entering a hospital or nursing home shall be deductible.

- .312 For households which incur the expense of a seeing eye dog, the cost of dog food and veterinarian bills and other maintenance costs may be included in the computation of the medical expense. If actual costs are not available, the county may use DBP's standard deduction of \$18 per month plus veterinarian bills for the use and maintenance of a seeing eye dog.

- .313 The amount deducted for an attendant or housekeeper who is necessary for medical care reasons will be the amount actually paid to the attendant or housekeeper. In addition, for those households who furnish the attendant or housekeeper the majority of his meals, a deduction equal to the value of the one-person monthly coupon allotment will also be made.

Deductions for so-called "medicine chest" supplies, not covered above, may not be made. In addition, the amount to be deducted will be that amount actually paid during the certification period, even though part may be reimbursable through insurance. Reimbursement payments will be treated as lump-sum payments when received in accordance with Section 63-2253.

- .32 Verification of medical expenses shall be required only when the EW
determines that the information submitted by the applicant or recipient
is questionable. Verification methods: bills, receipts, cancelled
checks, money orders, check book stubs, or written or verbal statements
from doctors, dentists, druggists, etc.

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2264 INCOME DEDUCTIONS (Continued)

63-2264

.6 Support and Alimony Payments

Support and alimony payments which are court ordered. Formal arrangements made through the local District Attorney's Office are acceptable in lieu of a formal court order. Such payments made voluntarily or in amounts which exceed the order of the court shall not be deducted except as specified in the court order or formal agreement.

Verification of support and alimony payments shall be required only when the
EW determines that the information submitted by the applicant or recipient
is questionable. Verification methods: receipts, cancelled checks, money
orders, probation or agency records, written statement from person to whom
the payments are being made or statement from the District Attorney, or
copy of court order or formal agreement.

DO NOT WRITE IN THIS SPACE

63-2264 INCOME DEDUCTIONS (Continued)

63-2264

- .73 Households which incur unusual expenses because of a disaster or casualty loss are in no way exempt from normal certification requirements. They must complete the entire application and register for work as any other household. The EW shall not assume the total absence of income or resources for households suffering a disaster or casualty loss as in many instances the employment and resources of such households are not affected by the disaster. When an applicant household claims an unusual expense, the EW shall:

FILING ADMINISTRATIVE REGULATION
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2264 INCOME DEDUCTIONS (Continued)

63-2264

.73 (Continued)

.731 Review the application to assure that all program requirements have been met and that the unusual expenses being claimed are allowable. If the household is temporarily sharing shelter with another household because of damage to their normal residence, each household will be treated as separate economic units even though they may not purchase and store food separately.

.732 Review household circumstances in terms of the emergency criteria provided in Section 63-2314 to determine if households qualifying as zero purchase after the normal income computation may be certified for 30 days without completing verification. However, the EW shall verify that the disaster or casualty loss did occur. Methods of verification: police, fire department or insurance company report. The unusual and other expenses used in the income computation shall be only those expected to be paid during the 30-day period of certification. Households may estimate such expenses, and unless the household's estimates are determined by the EW to be questionable, no verification shall be required.

.733 However, when the above households submit an application for certification subsequent to their 30-day certification or for any household where the income computation does not result in a zero purchase level, complete the normal verification requirements including the verification of unusual expenses which appear questionable.

.734 Obtain supervisory approval for all applications where an unusual expense has been allowed.

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2264 INCOME DEDUCTIONS (Continued)

63-2264

.8 Continued

.84 The county may develop, subject to DBP approval, standard utility allowances for use in calculating shelter costs. If the county elects to develop standard utility allowances, different utility allowances shall be developed to reflect seasonal variations (summer rates as opposed to winter rates) unless the county can demonstrate that such variations do not warrant separate allowances. In addition, the county may develop more than one standard allowance to reflect other types of variations (e.g., different standards for urban and rural areas).

DO NOT WRITE IN THIS SPACE

Each standard allowance will list separately the average monthly costs in the county of the following utilities: gas, electricity, heating oil (if applicable), wood (if applicable), water, garbage, and telephone (basic service fee for one telephone -- including tax on the fee). The separate listing is required because not every household uses or has to pay directly for all of the above utilities. For example, the costs of water and garbage are often included in the rental charge. This separate listing allows the county to apply to each household only those utility costs that they pay directly to the utility company. Local utility companies should be contacted to obtain the necessary documentation for the allowance, and this back-up documentation must be submitted to Department of Benefit Payments in support of the standard allowance.

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATION
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2264 INCOME DEDUCTIONS (Continued)

63-2264

.8 Continued

.84 Continued

The standard allowances will be used to determine shelter costs for all households (Food Stamp Certification and Verification Work Sheet Form DFA-285.2, item C, number 9.b), unless the household can verify by presentation of paid bills for previous months that its actual utility costs are higher than the sum of the established allowances and can reasonably be predicted to continue to be higher through the certification period. The household may make this request at the time of initial application and at any subsequent certification; however, households shall not be permitted to switch between the actual costs and the standard allowance or vice versa, during a certification period. In addition, under no circumstances will the county allow the household to mix their actual costs with those of the standard allowances.

The standard utility allowances will be reviewed/by the countyon an annual basis for possible revision to take into account discrepancies found by Quality Control, County Welfare Department surveys of utility companies, or other methods developed by the county and approved by the Department of Benefit Payments.

Verification shall be required only when the allowed amount exceeds the established and approved county standard.

DO NOT WRITE IN THIS SPACE

FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2265 VERIFICATION OF INCOME (Continued)

63-2265

Since income is the basic criterion set by Congress in determining eligibility for program participation, nonexempt income must be verified. Verification in many cases may consist merely in verifying and documenting past income which may reasonably be expected to continue during future months of participation. In other cases, an applicant household will be aware of probable changes in income during the certification period which should be verified and taken into account in establishing eligibility and the basis of coupon issuance.

1. Initial Certification

Gross nonexempt income from all sources and mandatory deductions from income must be verified. Other income deductions must be verified only when the information supplied by the applicant is _____ questionable.

2. Subsequent Certifications

The above verification criteria apply except that in the case of subsequent certifications, which by definition occur within 30 days of
the expiration of the previous certification with no break in benefits,
income need not be reverified unless the source of income has changed or the
amount of income reported has changed by more than \$25. However, any incon-
sistencies within the application itself or in comparison to previous
applications would require verification.

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FO.. FILING ADMINISTRATIVE REGULATION
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2265 VERIFICATION OF INCOME (Continued)

63-2265

3 Income Verification Techniques

For PA recipients who are members of a NA household, the PA case file will normally be used as verification.

The primary source of verification for earnings and other income of other than assistance recipients is the applicant himself. Verification of _____ income normally will be made from documentary sources such as pay stubs. _____.

For salaries or earned wages, one recent pay stub reflecting 40 hours per week employment or any other regular work week shall be considered adequate as verification. For persons working fluctuating hours less than 40 hours per week, two recent consecutive pay stubs shall be considered adequate. In fields of employment where hours are traditionally or seasonally higher than 40 hours per week, individuals may be requested to submit more than one pay stub. If pay stubs are not available for reasons beyond the person's control (for example, new job, recent sickness or strike, or failure to keep the stubs due to unawareness that they would be needed as verification), a written or verbal statement from employer or written statements from other persons who have knowledge of household's income may be considered adequate verification. In all instances, the method of verification must be recorded in the case file.

DO NOT WRITE IN THIS SPACE

**FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11380.1)

63-2265 VERIFICATION OF INCOME (Continued)

63-2265

.3 (Continued)

In addition to verifying reported income, the EW may have occasion to explore the possibilities of unreported income. When the applicant states that he has no earnings or other income and the applicant is employable or it appears he may be eligible for other benefits such as Retirement, Survivors, and Disability Insurance (RSDI), unemployment compensation, or public assistance, it may be necessary to verify that he is not receiving income from such sources. Additional situations in which the possibility of unreported income should be investigated are difficulty in finding the head of the household at home, seasonal employment in the area which is at its peak, shelter costs higher than reported income, or similar questionable situations.

In verifying earned income of an individual, the following documents or records are generally available through the applicant:

- Pay stubs
- Pay envelope
- Employee's W-2 Form
- Wage tax receipts
- State or Federal income tax return
- Self-employment bookkeeping records
- Sales and expenditure records

Verification from other sources might include:

- Employer's wage records
- Statement from employer
- Employment Development Department
- Franchise Tax Board

In verifying other income to the household, the following documents or records are generally available through the applicant:

- RSDI award letter (changes in benefits will not always be reflected)
- Benefit payment check
- Unemployment Compensation award letter
- Pension award notice
- Veterans Administration award notice
- Correspondence on benefits
- Income tax records
- Railroad Retirement award letter
- Support and alimony payments evidenced by court order, divorce or separation papers, contribution check

Verification from other sources might include:

- BENDEX System (See Section 63-2265.4)
- Social Security (Form SSA-1610)
- Social Security District Office files
- Employment Development Department - Unemployment Compensation Section
- Employer's records
- Union records
- Workmen's Compensation records
- Veterans Administration
- Insurance company records
- Tax records
- Railroad Retirement Board records

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATION
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2265 VERIFICATION OF INCOME (Continued)

63-2265

.4 Social Security Income

The BENDEX system is not currently in use in California for Food Stamp documentation. Its usefulness is currently under study and its inclusion here is meant to develop understanding and encourage comment from counties. A proposed BENDEX model is as follows:

The Beneficiary Data Exchange (BENDEX) system is a supplemental method of verification for use by county welfare departments. It is not necessarily to be used for all households who receive income from Social Security benefits. It may be possible to verify Social Security benefits based on documentation furnished by the applicant household. In such situations, verification through BENDEX would not be necessary.

When verification of a NA household's reported receipt of Social Security benefits is accomplished through the BENDEX system, household income for certification and/or review purposes will be calculated using the Social Security benefit amount reported by the household, pending the receipt of the BENDEX verification. Such households must have all other income verified and documented in accordance with the procedures in Section 63-2265.

Discrepancies between benefit information supplied by the household and the BENDEX verification will be reconciled through the use of procedures currently established between the Social Security Administration, Social and Rehabilitation Service, and the Department of Benefit Payments. The procedures include EW contact with the affected household. The EW is responsible for ensuring that all household members, whose receipt of Social Security benefits is verified through BENDEX, sign a Social Security Information Release Form/BENDEX Food Stamp Data Form prior to submission of the request for verification.

If and when BENDEX is approved for California Food Stamp Program use, the Department of Benefit Payments must be informed by a county intending to use BENDEX for verification of Social Security benefits of NA households at least 90 days prior to the initial submission of verification requests.

.5 Verification of Mandatory Deductions

All mandatory deductions must be verified in the same manner as income. Verification of mandatory deductions may be through reference to pay stubs, employer's statements, or similar sources. If the amounts cannot be verified, no deduction will be made. Amounts deductible as mandatory deductions for self-employed individuals will be computed in accordance with Section 63-2324.

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2331 INELIGIBLE ALIENS

63-2331

The ineligibility of certain aliens for program benefits will not prohibit the remaining household members from applying for and receiving food stamps. When a household which includes one or more ineligible aliens makes application, the EW must first determine if the ineligible alien is a part of that household's economic unit or may be excluded from the household as a roomer, boarder, or attendant. Based on this determination, the household certification will proceed as follows:

.1 Ineligible Aliens Not Part of the Economic Unit

If the ineligible alien is a roomer, only his payment to the household for the room will count as income to the household. If the ineligible alien is an attendant necessary for medical or child care reasons, none of his income will be counted and a deduction for payments to the alien for his services, including a one-person coupon allotment if the attendant is furnished the majority of his meals by the household, will be allowed as provided in Section 63-2264.

If the ineligible alien qualifies as a boarder under Section 63-2102.2, only his board payment to the household less a one-person coupon allotment will count as income to the household. If the household furnishes the ineligible alien meals but not lodging and his payment does not qualify him to be a boarder, the ineligible alien will not be considered a part of the economic unit and his total payment to the household for his meals will be counted as household income. Ineligible aliens furnished meals and lodging but whose payment does not qualify them to be boarders shall be included as part of the economic unit as prescribed in Section 63-2331.2.

2 Ineligible Aliens as Part of the Economic Unit

When an ineligible alien is an integral part of a household's economic unit, including those furnished meals and lodging but not qualifying as boarders, the income and resources of such households shall be determined in the following manner:

- .21** The ineligible alien will be included as any other household member for the purpose of determining the total resources available to the household and which resources may be exempt, unless the household can demonstrate that the resources of such aliens are not available to the rest of the household. However, an ineligible alien will not be included as a household member to determine the resource standard to be used for household eligibility.

EXAMPLE

A household consists of a father and son. The father is a permanent resident alien aged 65; the son has been admitted for a temporary period of time only, for the purpose of employment, and therefore is not eligible for program benefits. The father has a car and \$1,000 in the bank; the son owns a motorcycle which he uses on his job. For the purposes of determining the father's eligibility for food stamps, the EW would exempt both the car and the motorcycle under Section 63-2254.2. The resource eligibility standard would be that of a one person household or \$1,500. Therefore, the father would be eligible based on resources.

DO NOT WRITE IN THIS SPACE

F FILING ADMINISTRATIVE REGULATION
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2331 INELIGIBLE ALIENS (Continued)

63-2331

- .22 The total gross income of an ineligible alien less the value of a one-person coupon allotment will be counted as available to the household unless the household can demonstrate otherwise.

The amount of income to be disregarded for more than one ineligible alien shall be the number of ineligible aliens multiplied by the amount of a one-person coupon allotment.

The ineligible alien will be treated as a household member for the purpose of determining all income exclusions and deductions; but shall not be included in the household size for determining the income eligibility standard for the household or its basis of issuance.

EXAMPLE

Using the same father/son household, the son earns \$150 per month from his job. The income considered available to the father will be \$100 (\$150 - \$50). The \$100 would be added to the gross earnings, if any, of the father before computing the 10 percent deduction for work related expenses. A deduction would also be allowed for all allowable mandatory deductions taken from the son's wages. The remainder is then added to any unearned income and other deductible expenses in Section 63-2264 taken out to determine the father's adjusted monthly income. The income eligibility standard and basis of issuance would be that of a one person household.

.3 Ineligible Aliens as Household Head

When the eligible members of a household are all unemancipated minors

and the only adult is an ineligible alien, the ineligible alien may make application as head of the household on behalf of the eligible minors.

Under no circumstances will the ineligible alien (authorized representative) be subject to a WR 6 referral to INS or questioned regarding this individual's "intent to permanently reside in the county or state." Such a practice might seriously hinder the participation of eligible unemancipated minors.

However, if there is any other eligible adult or emancipated minor in the household, even though they would not normally be considered the household head, that eligible person must make application as the head of household instead of the ineligible alien. Ineligible aliens applying as head of household will be responsible for any misrepresentation or fraud committed in the certification of the household.

DO NOT WRITE IN THIS SPACE

**R FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11380.1)

63-2332 ZERO PURCHASE HOUSEHOLDS (Continued)

63-2332

.1 Households Reporting No Income

Prior to determining the eligibility of households whose reported income places them at the zero purchase level without consideration of deductible expenses, the EW must, through in-depth interviewing techniques, determine how the household maintains its existence, how long it has managed to exist in this fashion, and the potential period that the household can continue to exist. Such factors as how shelter is provided, how medical needs are met and how the household meets other ongoing needs can provide a solid base upon which the EW can base a final decision. Such questions can also reveal the existence of other income not reported on the application. Here too, the existence of resources must be determined, if it appears that the household could not exist at the level of income reported. These households shall be certified for periods not to exceed one month, except for such households whose conditions or

resources are sufficient to sustain them for a longer period of time. In any event, the certification period shall not exceed three months. Therefore,

counties may establish up to three month certification periods for zero financial
purchase households where in the judgment of the eligibility worker the/
conditions in the household appear reasonably stable and the ability of the
household to subsist despite its low income level is credible.

DO NOT WRITE IN THIS SPACE

F FILING ADMINISTRATIVE REGULATION
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2332 ZERO PURCHASE HOUSEHOLDS (Continued)

63-2332

4 Additional Verification Procedures

In order to reduce error rates and eliminate inequities to zero purchase households, each such household participating at the zero purchase level for three consecutive months must be made the subject of a full field investigation, including a home visit, to substantiate continuing eligibility and participation. The report of the investigation and conclusions derived from that report are to be filed in the household case file.

This requirement is to be an ongoing program, and a new field investigation must be accomplished after each three months of participation; unless, after several months' experience with such household, the certifying agency may, based on factual data, dispense with the field visit if it is determined that the household can sustain itself as a stable viable economic unit for the foreseeable future. The household case file shall be annotated with the information used to make such a determination.

DO NOT WRITE IN THIS SPACE

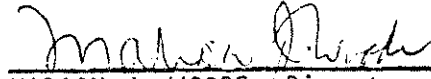
A home visit for a zero purchase household that has continuously participated for three months (whether by one-month, or longer, certification periods) must be made before an ATP may be issued for the fourth month's stamps. However, if the eligibility worker determines from information gained from the home visit, the application interview and during the previous three months of certification that the household can sustain itself as a stable and viable economic unit for the foreseeable future; then no further home visit may be needed again for that household. The EW shall re-evaluate the need for a home visit at the end of each three-month period, making an appropriate entry in the case record (i.e., specifying briefly the reasons why an additional home visit is or is not necessary). Examples of zero purchase level households that would likely not need more than one home visit are the "unaided spouse" of an SSI/SSI recipient, a household living partially or entirely from personal property assets, or a zero purchase household whose circumstances are well-known and have been thoroughly evaluated by the welfare department from its prior records.

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

There are no state mandated local costs in these regulation changes within the meaning of Section 2231(d) of the Revenue and Taxation Code.

Approved:


MARION J. WOODS, Director
Department of Benefit Payments

DO NOT WRITE IN THIS SPACE